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PATENT, TRADEMARK AND COPYRIGHT LAW  
AND RELATED FEDERAL AND ITC LITIGATION

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TO	<u>Examiner Penny Caudle</u>	DATE <u>August 26, 1999</u>
	NAME	
	<u>USPTO- Art Unit 2765</u>	FAX # <u>308-1396</u> <i>Per JGG</i>
	COMPANY/FIRM	
	NUMBER OF PAGES INCLUDING COVER: <u>7</u>	CONFIRM FAX: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
FROM	<u>Jan Gardner</u>	<u>7791-0052-25</u>
	NAME	OUR REFERENCE
	<u>412-6392</u>	<u>08/873,974</u>
	DIRECT PHONE #	YOUR REFERENCE

**MESSAGE**

Examiner Caudle:

In accordance with your telephone request of today, enclosed is a copy of the executed Patent Assignment, together with a signed copy of the PTO Form 1595 and date-stamped filing receipt of May 24, 1999, for the above-identified application.

We believe this will complete the requirements in order to have the Revocation and New Appointment of Power of Attorney filed on August 17, 1999 accepted.

Thank you for your kind assistance in this matter.

With best regards,

Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is privileged, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service at our Expense. Thank You.

FORM PTO-1595  
1-31-92RECORDATION FORM COVER SHEET  
**PATENTS ONLY**U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

CATALINA MARKETING INTERNATIONAL, INC.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of Conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other

Execution Date: April 5, 1999

## 2. Name and address of receiving party(ies):

Name: SUPERMARKETS ONLINE, INC.

Address: 500 West Putnam Avenue  
Greenwich, Connecticut 06830Additional name(s) and address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

## A. Patent Application No.(s)

60/009,244; 60/114,462; 08/622,685; 08/905,501;  
08/873,974; and 09/226,174

## B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

OBLON, SPIVAK, McCLELLAND, MAIER &  
NEUSTADT, P.C.Attorneys at Law  
Fourth Floor  
1755 Jefferson Davis Highway  
Arlington, Virginia 22202

7791-0009-25SD/KLH (jms)

## 6. Total applications and patents involved: 6

## 7. Total fee (37 CFR 3.41): \$240.00

- ☒ Enclosed  
☒ Authorized to be charged to deposit account

## 8. Deposit account number: 15-0030

(Attach duplicate copy of this page if paying by deposit account)

**DO NOT USE THIS SPACE**

## 9. Statement and signature

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

RICHARD A. NEIFELD

Name of Person Signing

Registration Number: 35,299

Signature

MAY 21, 1999

Date

Total number of pages including this cover sheet: 5

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

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## PATENT ASSIGNMENT

WHEREAS, Catalina Marketing International, Inc. of 11300 9th Street North, St. Petersburg, FL 33716, a corporation organized and existing under the laws of the State of Delaware ("ASSIGNOR") is the exclusive owner, by assignment, of

- (1) provisional patent application serial number 60/009,244;
  - (2) provisional patent application serial number 60/114,462; AND
  - (3) patent application serial number 08/622,685
  - (4) patent application serial number 08/905,501;
  - (5) patent application serial number 08/873,974;
  - (6) patent application serial number 09/226,174; AND
- Patent Cooperation Treaty
- (7) patent application serial number PCT/US96/20497;
  - (8) patent application serial number PCT/US99/03272;
- for letters patent of the United States of America; AND

WHEREAS, SuperMarkets Online, Inc. of 500 West Putnam Avenue, Greenwich, Connecticut 06830, a corporation organized and existing under the laws of the State of Delaware (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the entire right, title and interest in and to said applications, any patents issuing therefrom, and the inventions described therein;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, ASSIGNOR by these presents does sell, assign, and transfer unto ASSIGNEE the entire right, title and interest, in the United States, in and to the aforesaid application for Letters Patent and the inventions described therein and in and to any and all Letters Patent that may be granted therefor and in and to any and all divisions, continuations, substitutions, reexaminations, reissues and renewals thereof that are or may be secured under the laws of the United States now or hereafter in effect and including the subject matter of all claims which may be obtained therefrom, for its own use and enjoyment, and for the use and enjoyment of its successors, assigns or other legal representatives, as fully and entirely as the same would have been held and enjoyed by the ASSIGNOR if this Assignment had not been made; together with all income, royalties or payments due or payable as of the effective date of this Assignment or thereafter, including all claims for damages by reason of past, present or future infringement or other unauthorized use, with the right to sue for, and collect the same for its own use and enjoyment, and for the use and enjoyment of its successors, assigns, or other legal representatives.

ASSIGNOR hereby authorizes and requests the Patent Office in the United States and its territorial possessions to issue any and all of said Letters Patent, when granted, to ASSIGNEE as the assignee of the entire right, title and interest in and to the same, for the sole use and behoof of ASSIGNEE, its successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by ASSIGNOR had this Assignment and sale not been made.

ASSIGNOR shall provide to ASSIGNEE, its successors, assigns or other legal representatives, cooperation and assistance at ASSIGNEE's request and expense (including the execution and delivery of any and all affidavits, declarations, oaths, samples, exhibits, specimens and other documentation) as may be reasonably required: (i) in the preparation and prosecution of any application; (ii) in the prosecution of any application or in any infringement or other proceedings that may arise in connection with any of the applications or Letters Patent, including, but not limited to testifying as to any facts that relate to the applications assigned herein and this Assignment; (iii) in obtaining any additional protection for the inventions that ASSIGNEE may deem appropriate that may be secured under the laws now or hereafter in effect; and (iv) in the implementation or perfection of this Assignment.

ASSIGNOR represents and warrants to ASSIGNEE that: (i) actions taken by ASSIGNOR with respect to the filing and prosecution of applications for Letters Patent within the United States, and applications for and maintenance of registrations within the United States with respect to the Letters Patent, have been taken without gross negligence, bad faith or willful misconduct by ASSIGNOR, (ii) there are no liens or other encumbrances or security interests outstanding against these applications for Letters Patent, (iii) the applications are being diligently prosecuted, and (iv) none of the applications have become abandoned.

This Assignment is deemed to be executed and delivered within the State of New York, and it is the intention of the parties that it shall be construed, interpreted and applied in accordance with the laws of the State of New York without regard to its internal conflicts of law principles.

IN TESTIMONY WHEREOF, ASSIGNOR and ASSIGNEE have caused these presents to be signed by their duly authorized officers.

Date: April 5, 1999

Catalina Marketing International, Inc.

By: [Signature]  
Name: David Diamond  
Title: VP

STATE OF NY           )  
                                  )ss:  
COUNTY OF NYC       )

On 4/5/99 before me, Mauricio Mena, a Notary Public in and for said State, personally appeared David Diamond, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[Signature]  
SIGNATURE OF NOTARY PUBLIC

MAURICIO MENA  
NOTARY PUBLIC, State of New York  
No. 01ME6004609  
Qualified in New York County  
Commission Expires March 23, 2000

SuperMarkets Online, Inc.

By: David A. RachenName: David RachenTitle: PRESIDENT

STATE OF New York )

SS.:

COUNTY OF New York )

On 4/15/99 before me, Yoon S. Lee, a Notary Public in and for said State, personally appeared David Rachen, proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

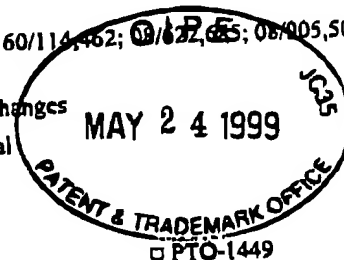
YOON S. LEE  
Notary Public, State of New York  
No. 01LE5045159  
Qualified in Queens County  
Commission Expires July 3, 1999

Yoon S. Lee  
SIGNATURE OF NOTARY PUBLIC

Dept.: E/MOSMM&N File No. 7791-0056-25 (1st of six) By: RAN/jmsSerial No. 60/009,244 (1st of six)In the matter of the Application of: CATALINA MARKETING INTERNATIONAL INC.For: ASSIGNMENT OF PATENT RIGHTS

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐ pp. Specification & Claims/Drawings      Sheets
- ☐ Combined Declaration, Petition & Power of Attorney      pages
- ☐ List of Inventor Names and Addresses
- ☐ Utility Patent Application      ☐ CPA
- ☐ Notice of Priority      ☐ Priority Doc
- ☒ Check for \$240.00      ☒ Dep. Acct. Order Form
- ☐ Fee Transmittal Form
- ☒ Assignment/PTO 1595 pages: 1
- ☒ Assignment (4 pages) (S/N's: 60/009,244; 60/114,462; 08/873,974; and 09/226,174)
- ☐ Letter Requesting Approval of Drawing Changes
- ☐ Drawings      sheets ☐ Formal
- ☐ Letter
- ☐ Amendment
- ☐ Information Disclosure Statement
- ☐ Cited References
- ☐ Search Report
- ☐ Statement of Relevancy
- ☐ IDS/Related/List of Related Cases
- ☐ Restriction Response      ☐ Election Response
- ☐ Rule 132 Declaration
- ☐ Petition for Extension of Time
- ☐ Notice of Appeal
- ☐ Brief
- ☐ Issue Fee Transmittal
- ☐ White Advance Serial Number Card
- ☐
- ☐



Due Date:

\\any\RAN\clients\CATALINA\77910009\SMO.ASSIGN.FR.990521.wpd